

**Subpart K—Rent and Housing Assistance
Payment—[Reserved]**

**Subpart L—Family Obligations; Denial and
Termination of Assistance**

- 982.551 Obligations of participant.
- 982.552 HA denial or termination of assistance for family.
- 982.553 Crime by family members.
- 982.554 Informal review for applicant.
- 982.555 Informal hearing for participant.

**Subpart M—Special Housing Types—
[Reserved]**

AUTHORITY: 42 U.S.C. 1437a, 1437c, 1437f, and 3535(d).

SOURCE: 59 FR 36682, July 18, 1994, unless otherwise noted.

Subpart A—General Information

SOURCE: 60 FR 34695, July 3, 1995, unless otherwise noted.

§ 982.1 Tenant-based programs: Purpose and structure.

(a) *General description.* (1) The HUD rental voucher program and the HUD rental certificate program provide rent subsidies so eligible families can afford rent for decent, safe, and sanitary housing. Both programs are administered by State, local governmental or tribal bodies called housing agencies (HAs). HUD provides funds to an HA for rent subsidy on behalf of eligible families. HUD also provides funds for HA administration of the programs.

(2) Families select and rent units that meet program housing quality standards. If the HA approves a family's unit and lease, the HA contracts with the owner to make rent subsidy payments on behalf of the family. An HA may not approve a lease unless the rent is reasonable.

(3) In the certificate program, the rental subsidy is generally based on the actual rent of a unit leased by the assisted family. In the voucher program, the rental subsidy is determined by a formula, and is not based on the actual rent of the leased unit.

(4) In the certificate program, the unit rent generally may not exceed a HUD-published fair market rent for rental units in the local housing market. For most families, the subsidy is

the difference between the unit rent and 30 percent of adjusted monthly income. In the voucher program, the subsidy for most families is the difference between 30 percent of adjusted monthly income and a "payment standard" that is based on the HUD-published fair market rent. If the unit rent is less than the voucher payment standard, the family pays a smaller share of the rent. If the unit rent is more than the payment standard, the family pays a larger share of the rent.

(b) *Tenant-based and project-based assistance.* (1) Section 8 assistance may be "tenant-based" or "project-based". In project-based programs, rental assistance is paid for families who live in specific housing developments or units. With tenant-based assistance, the assisted unit is selected by the family. The family may rent a unit anywhere in the United States in the jurisdiction of an HA that runs a certificate or voucher program.

(2) Except for project-based assistance under the certificate program (covered in 24 CFR part 983), all assistance under the certificate and voucher programs is "tenant-based". After the family selects a suitable unit, the HA enters into a contract with the owner to make rent subsidy payments to the owner to subsidize occupancy by the family. The contract only covers a single unit and the specific assisted family. If the family moves out of the leased unit, the contract with the owner terminates. In the tenant-based programs, the family may move to another unit with continued assistance so long as the family is complying with program requirements.

§ 982.2 Applicability.

(a) Part 982 is a unified statement of program requirements for the tenant-based housing assistance programs under Section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f). The tenant-based programs are the Section 8 tenant-based rental certificate program and the Section 8 rental voucher program.

(b) Unless specifically stated in this part, requirements for both tenant-based programs are the same.